Remarks

This is in response to the final Office Action mailed on May 17, 2004. Claims 1-30 remain pending. Reconsideration and allowance are respectfully requested in view of the following remarks.

In Section 6 of the Office Action, claims 1-18 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Fowlow et al., U.S. Patent No. 6,189,138, in view of Goldberg et al., U.S. Patent No. 6,571,232. It is assumed that claims 19-30, although not listed at the beginning of the rejection, are subject to the rejection as well because they are treated in the detailed description of the rejection. The correctness of this rejection is not conceded and is respectfully traversed for at least the following reasons.

Claim 1 recites, among other limitations, dragging a graphical representation for a server processing resource from a server explorer module to a visual design surface module to add a processing item to a programmable data object being created in the visual design surface module. A non-limiting example of a server processing resource is a processing server that can communicate with one or more of a client, another server, and a database. Application, p. 11, ll. 1-20.

Fowlow discloses a tool for constructing application programs. As shown in Figure 3 of Fowlow, a system 400 includes a component service 404 that provides the user with access to objects available on the distributed object system using a catalog having an inventory of the available software resources. Fowlow, col. 9, ll. 32-47. The catalog gives information about the objects and software available for use. Fowlow, col. 9, ll. 50-55.

Fowlow fails to disclose or suggest a server processing resource. Goldberg likewise fails to disclose a server processing resource. Therefore, neither Fowlow nor Goldberg disclose or suggest dragging a graphical representation for a server processing resource from a server explorer module to a visual design surface module to add a processing item to a programmable data object being created in the visual design surface module, as recited by claim 1.

Claim 1 also recites identifying data schema associated with the server processing resource added to the programmable data object, and creating a typed dataset containing the data structures corresponding to the data schema associated with the server processing resource.

The rejection apparently concedes that Fowlow fails to disclose or suggest a database or associated schema.

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As previously noted, Goldberg discloses a system for browsing database schema information. The rejection states that one skilled in the art would be motivated to combine Goldberg with Fowlow because:

> It was generally known by one skilled in the art that until roughly the mid-1990s, when software programs were created using object-oriented design, the designs operated mainly in the memory of single machines. Design methods were necessary for adapting the software for network use and saving the software in secondary storage. Distributed object technology for networks was developed to solve this problem, and object-oriented database (ODBMS) technology, which saves the objects directly in secondary storage, was developed. One skilled in the art would have understood that the access of network objects in the Fowlow invention would include database objects. Therefore, it would have been obvious to one skilled in the art at the time the invention was made to combine the drag and drop feature for building applications in the Fowlow invention, which is installed on a distributed object system, with the identification of a database schema in the distributed object database system disclosed in Goldberg because the Fowlow invention discloses that detailed information about a distributed object system resource is available to the developer (column 9, lines 54 - 55) in the worksheet (a visual design surface), and one skilled in the art would logically include a data schema if a database resource was selected in a tiered distributed object system as taught by Goldberg (column 2, lines 17 - 37).

Action, pp. 18 and 19. The rationale supporting the combination of these references is respectfully traversed for at least the following reasons.

The level of skill in the art cannot be solely relied upon to provide the motivation to combine references. Al-Site Corp. v. VSI Int'l Inc., 174 F.3d 1308, 50 USPQ2d 1161 (Fed. Cir. 1999); MPEP 2143.01. In the present rejection, it is respectfully suggested that the level of skill in the art is improperly used as support for the combination of Fowlow and Goldberg. See Action, pp. 18 and 19.

Reconsideration and allowance of claim 1, as well as claims 2-6 that depend therefrom, are respectfully requested for at least these reasons.

Independent claims 7, 13, and 19, although not identical in scope to claim 1, include limitations similar to those noted above with respect to claim 1. Therefore, claims 7, 13, and 19,

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as well as claims 8-12, 14-18, and 20-30 that depend respectively therefrom, should be allowable for at least reasons similar to those provided above with respect to claim 1. Reconsideration is respectfully requested.

III.   Conclusion

The remarks set forth above provide certain arguments in support of the patentability of the pending claims. There may be other reasons that the pending claims are patentably distinct over the cited references, and the right to raise any such other reasons or arguments in the future is expressly reserved.

In view of the above remarks, favorable reconsideration in the form of a Notice of Allowance is respectfully requested. Please contact the undersigned attorney with any questions regarding this application.

Respectfully submitted,
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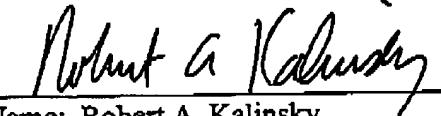
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